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CLERK
U.S. DISTRICT COURT
NO. DIST OF CA. S.J.

DR

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE H. HERMOSILLO }
Plaintiff, }
vs. }
SANTA CLARA COUNTY /S.C.C.J }
CPT. D. SEPULVEDA }
SCT. P. COR. SO #2348 }
OFF. KOLB#1778 }
OFF. WHITE#1624 Defendant.)

C 08 00915 JF

CASE NO. _____

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

I, HERMOSILLO JOSE, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.) IN CUSTODY LAST EMPLOY

4 MORRIS COMMUNICATIONS

5 \$4,240 GROSS MONTHLY 3,100 NET PAY
 6 PER MONTH

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

- 9 a. Business, Profession or Yes No
- 10 self employment
- 11 b. Income from stocks, bonds, Yes No
- 12 or royalties?
- 13 c. Rent payments? Yes No
- 14 d. Pensions, annuities, or Yes No
- 15 life insurance payments?
- 16 e. Federal or State welfare payments, Yes No
- 17 Social Security or other govern-
- 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____

22 _____

- 23 3. Are you married? Yes No

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$_____ Net \$_____

- 28 4. a. List amount you contribute to your spouse's support: \$ _____

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).

5 A S 7 YRS B.S. 3 150.00 MONTHLY

6 MARIA HERMOSILLO SERENA HERMOSILLO 425.00 MT

7 5. Do you own or are you buying a home? Yes No X

8 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

9 6. Do you own an automobile? Yes No X

10 Make _____ Year _____ Model _____

11 Is it financed? Yes No If so, Total due: \$ _____

12 Monthly Payment: \$ _____

13 7. Do you have a bank account? Yes No X (Do not include account numbers.)

14 Name(s) and address(es) of bank: _____
 15 _____
 16 Present balance(s): \$ _____

17 Do you own any cash? Yes No X Amount: \$ _____

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 19 market value.) Yes No X
 20 _____

21 8. What are your monthly expenses?

22 Rent: \$ 750.00 Utilities: 100.00

23 Food: \$ 200.00 Clothing: 75.00

24 Charge Accounts:

Name of Account	Monthly Payment	Total Owed on This Acct.
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_____	\$ _____	\$ _____
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_____	\$ _____	\$ _____
-------	----------	----------

_____	\$ _____	\$ _____	9. Do
-------	----------	----------	-------

1 you have any other debts? (List current obligations, indicating amounts and to whom they are
2 payable. Do not include account numbers.)

3 NO

4

5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes No X

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.

9

10

11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15 1-31-08

16 DATE

Jose Henao-Silva

17 SIGNATURE OF APPLICANT

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1
2 Case Number: _____
3
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8 CERTIFICATE OF FUNDS
9 IN
10 PRISONER'S ACCOUNT
11

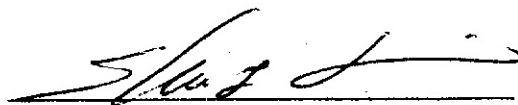
12 I certify that attached hereto is a true and correct copy of the prisoner's trust account
13 statement showing transactions of Hermosillo, Jose Horace for the last six months
14 at

15 [prisoner name]
16 Santa Clara County, DOC where (s)he is confined.

17 [name of institution]

18 I further certify that the average deposits each month to this prisoner's account for the
19 most recent 6-month period were \$ 153.17 and the average balance in the prisoner's
20 account each month for the most recent 6-month period was \$ 118.94.

21
22 Dated: 1/22/08


23 [Authorized officer of the institution]
24 *INF Accountant*

25
26
27
28

Resident Account Summary
Tuesday, January 22, 2008 @15:00

For PFN: CRE216 HERMOSILLO, JOSE HORACE

Date	Transaction Description	Amount	Balance	Owed	Held	Reference
01/22/2008	EPR	OID:100741937~ComisaryPur	-12.81	619.75	0.00	0.00
01/16/2008	DEPMO	6357802006	30.00	632.56	0.00	0.00
01/15/2008	EPR	OID:100739044~ComisaryPur	-10.86	602.56	0.00	0.00
01/08/2008	EPR	OID:100736325~ComisaryPur	-89.58	613.42	0.00	0.00
01/07/2008	DEPCA	INITIAL DEPOSIT - REINSTA	703.00	703.00	0.00	0.00
11/15/2007	WARRANT INM	RELEASE OR CLOSEOUT TRANS	-90.00	0.00	0.00	0.00
11/15/2007	WCASH MJ	RELEASE OR CLOSEOUT TRANS	-16.00	90.00	0.00	0.00
11/13/2007	DEPCA	INITIAL DEPOSIT - REINSTA	106.00	106.00	0.00	0.00
10/15/2007	WCASH MJ	RELEASE OR CLOSEOUT TRANS	-31.49	0.00	0.00	0.00
10/09/2007	EPR	OID:100698282~ComisaryPur	-10.15	31.49	0.00	0.00
09/29/2007	DEPMO	6357801803	40.00	41.64	0.00	0.00
09/18/2007	EPR	OID:100688982~ComisaryPur	-39.20	1.64	0.00	0.00
09/04/2007	EPR	OID:100682147~ComisaryPur	-11.40	40.84	0.00	0.00
08/21/2007	EPR	OID:100676821~ComisaryPur	-39.00	52.24	0.00	0.00
08/14/2007	DEPMO	6357801737	40.00	91.24	0.00	0.00
07/31/2007	EPR	OID:100667951~ComisaryPur	-15.10	51.24	0.00	0.00
07/25/2007	DEPMO	6357801708	50.00	66.34	0.00	0.00
07/24/2007	EPR	OID:100664482~ComisaryPur	-34.13	16.34	0.00	0.00
07/14/2007	DEPMO	R100514133775 MONEY GRAM	50.00	50.47	0.00	0.00
06/29/2007	EPR	OID:100655170~ComisaryPur	-17.27	0.47	0.00	0.00
06/26/2007	EPR	OID:100652959~ComisaryPur	-23.05	17.74	0.00	0.00
06/21/2007	ERF	OID:100650103~ComisaryRef	22.80	40.79	0.00	0.00
06/19/2007	EPR	OID:100650103~ComisaryPur	-22.80	17.99	0.00	0.00
06/12/2007	EPR	OID:100647070~ComisaryPur	-16.35	40.79	0.00	0.00
06/09/2007	DEPMO	6357801639	40.00	57.14	0.00	0.00
06/05/2007	EPR	OID:100644235~ComisaryPur	-2.97	17.14	0.00	0.00
05/29/2007	EPR	OID:100641258~ComisaryPur	-20.32	20.11	0.00	0.00
05/25/2007	DEPMO	6357801620	40.00	40.43	0.00	0.00
05/08/2007	EPR	OID:100632339~ComisaryPur	-3.80	0.43	0.00	0.00
05/01/2007	EPR	OID:100629860~ComisaryPur	-25.43	4.23	0.00	0.00
04/24/2007	EPR	OID:100626335~ComisaryPur	-11.01	29.66	0.00	0.00
04/17/2007	EPR	OID:100623703~ComisaryPur	-19.60	40.67	0.00	0.00
04/11/2007	DEPMO	08701293664	40.00	60.27	0.00	0.00
04/10/2007	EPR	OID:100620763~ComisaryPur	-30.15	20.27	0.00	0.00
04/06/2007	DEPMO	56127670280	50.00	50.42	0.00	0.00
03/20/2007	EPR	OID:100611902~ComisaryPur	-11.75	0.42	0.00	0.00
03/13/2007	EPR	OID:100609310~ComisaryPur	-27.87	12.17	0.00	0.00
03/08/2007	DEPMO MJ	56127666420	40.00	40.04	0.00	0.00
03/06/2007	EPR	OID:100606115~ComisaryPur	-4.56	0.04	0.00	0.00
02/27/2007	EPR	OID:100603727~ComisaryPur	-27.86	4.60	0.00	0.00
02/25/2007	DEPMO MJ	05-118222430	30.00	32.46	0.00	0.00
02/20/2007	EPR	OID:100600964~ComisaryPur	-25.04	2.46	0.00	0.00
02/17/2007	DEPMO MJ	56552115170	25.00	27.50	0.00	0.00
02/06/2007	EPR	OID:100595672~ComisaryPur	-17.92	2.50	0.00	0.00
01/30/2007	EPR	OID:100592633~ComisaryPur	-31.97	20.42	0.00	0.00
01/18/2007	DEPMO MJ	49654433576	40.00	52.39	0.00	0.00
01/16/2007	EPR	OID:100587076~ComisaryPur	-16.24	12.39	0.00	0.00
01/09/2007	EPR	OID:100584273~ComisaryPur	-21.45	28.63	0.00	0.00
01/05/2007	DEPMO MJ	48156499611	50.00	50.08	0.00	0.00
12/26/2006	EPR	OID:100578919~ComisaryPur	-3.61	0.08	0.00	0.00
12/19/2006	EPR	OID:100576327~ComisaryPur	-36.55	3.69	0.00	0.00
12/16/2006	DEPMO MJ	6357801416	40.00	40.24	0.00	0.00
12/05/2006	EPR	OID:100570705~ComisaryPur	-4.44	0.24	0.00	0.00
11/28/2006	EPR	OID:100567819~ComisaryPur	-13.69	4.68	0.00	0.00
11/21/2006	EPR	OID:100566000~ComisaryPur	-15.90	18.37	0.00	0.00
11/14/2006	EPR	OID:100562006~ComisaryPur	-22.99	34.27	0.00	0.00
11/07/2006	EPR	OID:100559149~ComisaryPur	-42.74	57.26	0.00	0.00
11/03/2006	DEPMO MJ	0047007407	100.00	100.00	0.00	0.00
10/24/2006	DCASH MJ	INITIAL DEPOSIT - REINSTA	0.00	0.00	0.00	0.00
06/16/2006	WARRANT INM	RELEASE OR CLOSEOUT TRANS	-806.70	0.00	0.00	0.00
06/16/2006	WCASH MJ	RELEASE OR CLOSEOUT TRANS	-20.00	806.70	0.00	0.00
06/09/2006	DEPMO MJ	7-7578123509	20.00	826.70	0.00	0.00
05/23/2006	EPR	OID:100493319~ComisaryPur	-3.96	806.70	0.00	0.00

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